

fit of any student of political science—when the legislative branch of our Government was the controlling force, dominating the news, public attention, and public discussion. These periods of history come and go.

As the majority leader has said so brilliantly, time after time on the floor, we have witnessed the fact that the Supreme Court has been doing its duty in the area of constitutional and civil rights. We have witnessed the executive branch doing its duty. Now the time has arrived for the legislative branch to do its duty. But the legislative branch will not do its duty if it does not give to the courts the power to enforce their decrees—decrees that are based upon the application of the law which we intend to write into the Civil Rights Act.

I know of nothing that would tear down the structure of law and of government by law more than denying the courts of this country the right to protect themselves and to enforce their orders and decrees.

We seek many basic rights in this legislation. Among others, we seek to protect the right of a citizen to vote. The evidence is replete that hundreds of thousands of our citizens have been denied the right to vote through capricious action, through open disobedience of the law, through violations of statutes, Federal, local, and State, and through defiance of the Constitution.

Any nation that parades throughout the world as the leader of free nations and freeman should put its own house in order.

There is no doubt that the Constitution states unequivocally in the 14th amendment that no State may deny a citizen of the United States life, liberty, or property without due process of law, and that no State may deny the equal protection of the laws, or deny to such citizens the privileges and immunities of the law.

Yet the same young man who is in Vietnam this afternoon—and there are hundreds of Negro young men there, coming from States all through this Republic—who wears the uniform of the U.S. Army, who has the insignia of his rank on his shoulders, who sleeps in the same barracks with his white brother, who eats in the same messhall with his white brother, who can go to the same recreation facilities with his white brother, when he returns home and takes off his uniform, may very well walk into a hotel and be told, "This hotel is for whites only. No bed for you. No room in this inn."

That is a violation of his constitutional right. That is not a violation of some little county commissioner's order. It is a violation of the supreme law of the land, and we are going to do something about it.

We seek to do something about it in title II of the bill. We provide in title II for the use of local and State enforcement machinery. We provide that that shall be the primary means of enforcement. If the local and State governments refuse to fulfill their obligations under the Constitution of the United States, the Federal Government will have something to do about it.

Mr. President, as proud as I am to be a citizen of Minnesota, I am prouder to be a citizen of the United States of America. The citizenship that really makes one a citizen, the citizenship that spells out the significance of the word "citizen," is to be a citizen of the Republic of the United States of America.

That is exactly what the Constitution provided for. Titles I, II, III, IV, and VII of the bill provide for court orders to protect citizenship rights. If the court finds that these rights have been violated and by appropriate court order directs that those rights be sustained, and if a citizen or a public official refuses to obey that order, and if the court should be denied the right to enforce the order, there will be no law in the United States. We will have committed a fraud on the American people and upon the whole constitutional structure. If the court should be unable to enforce its orders, then I predict that there will be blood in the streets and violence in the country.

If ever there was a time for this Nation to have respect for law and order, that time is now. Too many people throughout America are taking things into their own hands. Some of them are doing it in the name of civil rights. Some of them are doing it to deny civil rights. They are both wrong. When mobs roam the streets, when people are afraid to go to the aid of a helpless person who has been attacked and beaten, there is something wrong in America.

Congress should examine what it is doing about these great problems. Whether it can do all that needs to be done, I do not know; but I know that we cannot justify doing nothing.

The truth is that there was a time in history when people could be forgiven, for they knew not what they were doing. The Scriptures state it much more succinctly:

Forgive them; for they know not what they do.

But we do know what we are doing, and we do know what we are not doing. We cannot, like Pilate, wash our hands of the problem. We have a job to do in the Senate. We know what the record of the court is. We know what the precedent of the court is. We know what the tradition of the court is. We know what it takes to enforce a court order. We know what happens in every country when the courts are openly defied. Then there is nothing left but the rule of the dictator, or the rule of the mob. God spare America from either of those plagues.

Title III relates to public facilities. It is incredible that anyone in America would ever assert that a person, because of his race, could not go into a public park, a park which was paid for by the public and therefore owned by the public. What would Senators think if there was a sign outside the main entrance to the Capitol—which is a public building—which said, "Whites only enter here. Negroes use the basement door." We would be ashamed of ourselves.

Yet it is a fact that many people in America have been denied access to public facilities—owned by the public, paid for by the public, and maintained in the name of the public—because of their

race, their religion, their ethnic origin, their national origin, or their color.

We are going to strike that down just as we would any cancer in our midst. This is a cancer that we can cure. But we cannot deny the doctor—who is the court—the tools to do the job. The tool to do the job is the court decree. To deny the use of that tool to perform the task would make a mockery out of the court.

Title IV concerns desegregated schools. Ten years ago, the court ordered desegregation with due and deliberate speed. We have had patience. We need more patience. I believe in patience. The older I become, the more I realize the importance of patience. But, I believe in persevering patience. I believe that patience should not be a substitute for paralysis. Patience does not mean inaction. It means progress. It does not mean revolutionary progress, necessarily, but it does mean evolutionary progress.

Title IV provides help for those who wish to move a little more speedily in the field of desegregation. We offer assistance to those who seek to be good Americans and to abide by the Constitution.

Title V, of course, concerns the Civil Rights Commission. This is essentially a renewal of the Commission for 4 additional years.

Title VI relates to the use of public funds. We have written into it every precaution and safeguard that I could think of, or that anyone else could think of. The only other thing left would be to declare that Federal funds should be used in a discriminatory way.

That I do not advocate. That is unconstitutional. That is illegal. That is un-American. It is unjustified.

Thus, we say about title VI that funds shall be collected from the American taxpayer without regard to race, and that those funds shall be used for the American citizen, without regard to race. It is that simple. We use every possible means to seek observance of the law rather than enforcement of the law. That is the whole emphasis in the substitute measure. I shall discuss the substitute measure tomorrow or Friday, because I am very proud of it.

We have protected not only States rights in the substitute measure, but we have also enlisted States powers, States responsibilities, and States authority to take care of the constitutional rights of the citizens of the States. We have tried to recognize that civil rights must ultimately be protected at the community level.

However, in title IV, all Senators know that when the Federal income tax form goes out from the Internal Revenue Service, the short form or the long form, there is nothing in it which says, "This form is for Negroes—you pay less. This form is for whites—you pay more. This form is for a Catholic. This form is for a Protestant. This form is for a Jew."

Oh, no, Mr. President, the American people are sent but one form and it directs, "Pay, pay, pay." Not only that, but the Internal Revenue Service may assign investigators to make sure we pay the correct amount.

When a Negro is taken to court, the judge does not say, "Well, you know, we have been discriminating against you for 200 years, so we are not going to give you a really hard penalty here. You have been denied equal justice for so long that we are going to make up for it now and let you get off free." We expect them to face up to their responsibilities.

Title VII is the fair employment practices title, which is drastically modified. The Senator from Pennsylvania [Mr. CLARK] will speak on that today. This title may ultimately require some court order.

If it does, court orders must be enforceable.

I must say, in all candor, that we have taken title VII and rewritten it, believing that the prime responsibility for action and enforcement is at the State and local level, recognizing that this is not the fast approach, recognizing that this is a concession—and I would be the last to say that it was not—and recognizing that in a sense we have weakened the bill. However, if the court is to be brought into this matter, we should make sure that the court can enforce its orders. I wish to make sure that the judge is not a tyrant. I wish to make sure that he uses just penalties. I also wish to make sure that he protects the dignity of his court.

There are 11 titles in the bill which relate to various powers. The first seven titles are most significant. Every one of the principal titles is predicated upon the rule of law, not on the rule of bureaucracy. Inasmuch as we speak so often in this Chamber of the rule of law, I would suggest that we also provide the courts with the power to maintain their dignity and authority.

If we do otherwise, we shall not only weaken the basic structure of law in America, but we shall also destroy one branch of our Government, the judicial branch.

I hope that that will not be the case.

Mr. GRUENING. Mr. President, before speaking on another subject, I congratulate the distinguished Senator from Minnesota on a magnificent speech.

It goes to the heart of the problem and deserves the close attention of all those who are concerned with justice and fair treatment of all our citizens regardless of race, creed or color. He has made a great contribution to this cause. I commend him highly and join him in the expression of his sentiments.

#### A UNITED NATIONS SPONSORED CEASE-FIRE IN SOUTH VIETNAM IS NEEDED NOW

Mr. GRUENING. Mr. President, a United Nations sponsored cease-fire in South Vietnam is needed now. In fact it is long past due.

It is becoming increasingly evident to more and more people in the United States—as well as to our allies around the globe—that the undeclared war in South Vietnam into which the United States has needlessly injected itself, can and will ultimately be settled only at the

conference table. It cannot and will not be settled by military might.

If that is the case—and the cold assessment of the facts can only lead to that conclusion—then the sooner the United States takes the initiative in the United Nations to obtain a cease-fire in South Vietnam the better our international posture will be. We should take every step possible to stop the bloody, senseless killing in Vietnam not only of U.S. fighting men but of Vietnamese as well.

On Monday, June 1, 1964, the Washington Post and Times Herald editorialized that the United States should take a "middle course." It stated:

The notion of negotiated withdrawal ignores the vital fact that the United States and its allies would be forced to negotiate from weakness. What cannot be taken on the battlefield can hardly be claimed at the conference table. If American military entrance into the region was a mistake a decade ago, it is a reality now. Commitments have been given to allies and friends on the basis of that mistake and those commitments must be upheld. \* \* \* Washington must show enough resolve and force to convince its friends and dependents that it will not abandon them when the going gets rough, and to convince its adversaries that persistence in aggression is fruitless and possibly deadly.

I ask unanimous consent that this editorial from the Washington Post and Times Herald of June 1, 1964, be printed in full in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, the editorial expresses an attitude of unwillingness to face up to the hard facts of reality. Admitting that the issues in South Vietnam will ultimately have to be settled at the conference table, the editorial would, nevertheless, advocate the needless sacrifice of thousands of American lives on the battlefield to strengthen our hand at the conference table.

A river of blood from the bodies of American fighting men is not needed to convince our "adversaries that persistence in aggression is fruitless and possibly deadly." The military might of the United States does not need to prove itself by the needless loss of the lives of thousands of its fighting men nor by the incineration of villages by napalm bombings and the killing of their helpless inhabitants. Our might is well known. We need not use it to prove that we have it. That is the basic reason for building our deterrent strength.

The New York Times adopts a similar position editorially, saying in its May 29 issue:

As we have stated here before, the prelude to a peaceful settlement through negotiation of the Communist aggression in southeast Asia may have to be a temporary increase instead of diminution of American military participation. The ultimate goal must be to get our troops out of the area; to achieve conditions that will make this possible, it may be necessary first to put more in.

In other words, we have got to kill a lot more American boys as well as Vietnamese and spend more millions of dol-

lars before we do what we know we will have to do ultimately.

What utter folly.

I ask unanimous consent that this editorial from the New York Times appearing in its May 29, 1964, issue, entitled "Our Credibility in Laos," be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, a more realistic view of the situation in South Vietnam was taken last week by the noted columnist, Walter Lippmann.

I ask unanimous consent that Mr. Lippmann's column in the Washington Post and Times Herald for May 28, 1964, be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. GRUENING. Mr. Lippmann stated:

The military commitment in southeast Asia has been a mistake.

On March 10, 1964, in a speech on the Senate floor, I stated:

This is a fight which is not our fight into which we should not have gotten in the first place. The time to get out is now before the further loss of American lives.

I went on to say in that speech:

President Johnson, let me repeat, inherited this mess. It was not of his making. As he approaches the difficult task of making the necessarily hard decisions with respect to the problems in South Vietnam, problems created long before he was President, he should feel no compunction to act in such a way as to justify past actions, past decisions, and past mistakes. He should feel entirely free to act in such a manner and to make such decisions as are calculated best to serve the interests of the United States and the free world—a world changed greatly from the time President Eisenhower and Secretary Dulles initiated our southeast Asia policies.

Mr. Lippmann in his realistic column states:

The U.S. Government helped to pick Diem as chief of South Vietnam and, until the coup of last autumn, Diem and his family were supported by us as the rulers of South Vietnam and they became the clients of the United States.

In my speech in the Senate on March 10, I stated:

In October 1955, the Eisenhower administration picked Ngo Dinh Diem to rule South Vietnam.

There may be some room for disagreement as to whether Diem was a poor choice for the job to begin with or whether, after having come to power, the thirst for more and more power on his part and on the part of his many relatives, whom he placed in high governmental posts, became insatiable.

In a nationwide broadcast on March 8, 1955, Secretary Dulles said:

"I was much impressed by Prime Minister Diem. He is a true patriot, dedicated to independence and to the enjoyment by his people of political and religious freedoms. He now has a program for agricultural reform. If it is effectively executed, it will both assist in the resettlement of the refugees and provide his country with a sounder agricultural system. I am convinced that his Government deserves the support which the

United States is giving to help to create an efficient, loyal military force and sounder economic conditions."

Mr. Lippmann went on to say:

I think, moreover, that if an international structure can be created, one which is guaranteed by the Soviet Union, the United States, France, Great Britain, and China, that North Vietnam will tend to go Titoist, that is to say, to remain Communist but not Chinese. \* \* \* to create a visible guarantee which makes it safe for Hanoi not to be, as it has always striven not to be, a Chinese satellite.

Mr. Lippmann's point cannot be too strongly reiterated. The fact too often overlooked is that when the Vietnamese speak of colonialism they mean Chinese as well as French colonialism. Having been ruled over 2,000 years by the Chinese, the people of North and South Vietnam are not about to put their necks into the noose of Communist China. Neither are the Vietnamese—North or South—about to agree to white domination of their country.

Since my remarks on the floor of the Senate on March 10, 1964, I have repeatedly stated that the United States must stop this senseless killing in South Vietnam and take the matter to the conference table.

I commend Mr. Lippmann for his stand in now supporting that position.

Today I am proposing that the United States take the initiative in bringing about, through the United Nations, an immediate cease fire in South Vietnam. This is the only logical and realistic action for the United States to take.

The issues in South Vietnam will have to be resolved at the conference table. Until such conference can be arranged, does it make any sense to continue to lose American lives in South Vietnam?

On March 10, 1964, I urged:

The President should take steps to disengage the United States immediately from this engagement.

All our military should immediately be relieved of combat assignments. All military dependents should be returned home at once. A return of the troops to our own shores should begin.

I repeat today that suggestion.

Since my remarks on March 10, 1964, my mail has been 100 to 1 in favor of the stand I have taken. It continues to flow in support thereof. I ask unanimous consent that a few of these letters, representative of American public opinion, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

#### EXHIBIT 1

[From the Washington (D.C.) Post, June 1, 1964]

#### MIDDLE COURSE

The situation in southeast Asia appears so dismal and unpromising that the temptation is strong to seek a final solution to it. Indeed, there is widely evident a feeling that we are approaching a watershed, perhaps a Waterloo, and that the United States will no longer be permitted by events or enemies to muddle as it has in the past. Previously the discussion of American policy in that fragile Asian corner has been conducted in terms of hard but small choices, none

them irrevocable, but now the discussion is in terms of extreme and final decisions.

In this atmosphere of either-or, two polar positions have been staked out; they glare at each other across the daily clutter of communiqués and battle reports, forcing themselves upon us all. One position is that American military intervention in southeast Asia was a mistake that should be recognized and liquidated by means of an international conference. The other position is that the United States should stick to its guns and carry the war to Communist lands, in risky but reasonable expectation of success.

The decisiveness of both of these solutions is extremely appealing but both, in our opinion, are illusory and misleading. The notion of negotiated withdrawal ignores the vital fact that the United States and its allies would be forced to negotiate from weakness. What cannot be taken on the battlefield can hardly be claimed at the conference table. If American military entrance into the region was a mistake a decade ago, it is a reality now. Commitments have been given to allies and friends on the basis of that mistake and those commitments must be upheld.

It is also wrong, we think, to threaten blockading or bombing of North Vietnam in order to compel Hanoi to call off its forces in South Vietnam and Laos. This course might bring instead a longer, deeper, dirtier and more uncertain war. Doubtless American planes could interdict or decimate North Vietnam between breakfast and lunch. Doubtless, too, the insurgents in South Vietnam would continue their fight with greater bitterness. It could also happen that Communist China would enter the war, broadening it to a scope that would make today's troubles look like small beer.

If the United States is neither to negotiate an exit from southeast Asia nor to scare off the aggressors by raiding their homeland, what is it to do? The answer, obviously, is in between. Washington must show enough resolve and force to convince its friends and dependents that it will not abandon them when the going gets rough, and to convince its adversaries that persistence in aggression is fruitless and possibly deadly. At the same time the United States must show a willingness to give relief and perhaps reward to those Communists who demonstrate their interest in living at peace with their countrymen and neighbors.

Such a policy of unconditional reliability to friends and conditional relief to enemies does not, of course, guarantee that American interests in Asia will be satisfied. It is not even a policy in the sense that a specific path of action is thereby prescribed. Many paths will have to be tried, political and diplomatic, economic and military. All will be uphill; many will be dead end. In Thailand, requests for aid must be answered unequivocally. In Laos and Cambodia, efforts must be made to apply poultices of international guarantees, however poorly stuck. In South Vietnam, the critical arena, the overwhelming emphasis must be on measures that will give the people confidence in non-Communist rule.

There is nothing to cheer about in this course of limited means and pragmatic maneuver. But it is more consonant with American responsibilities and interests in southeast Asia than the extremes of expanding or negotiating an end to the war.

#### EXHIBIT 2

[From the New York Times, May 29, 1964]

#### OUR CREDIBILITY IN LAOS

The deteriorating situation in southeast Asia in general and in Laos in particular is forcing a stronger response from the United States.

Assistant Secretary of State William Bundy has said without exaggeration that there is a "real danger" of a Communist takeover in the area. At the same time it was announced in Washington yesterday that Secretary Rusk and other top officials are to meet in Hawaii next week to discuss the possibilities. It seems clear that to do no more new than is being done means, at the least, the loss of Laos to the Communist Pathet Lao.

The credibility of the United States determination to act tough as well as talk tough is being eroded. None of the independent nations of southeast Asia will stay with what they believe to be a losing side. They are not going to choose between West and East, democracy and communism; they are going to join whichever side they are convinced is winning.

While nobody is going to win, Washington's problem at the moment is to demonstrate that we are, at least, not going to lose, or leave our allies in the lurch. This does not mean that the talking and exchange of notes should stop. A 14-nation meeting, preferably in Geneva, possibly in Vientiane but certainly not in Cambodia as the Chinese propose, is still the best method for negotiation.

The Johnson administration has wisely rejected an open-ended, all-out military involvement in Laos that could suck the United States into another always-increasing burden like that in Vietnam. There are other less drastic but still effective ways by which the United States can show its determination forcibly to prevent the Pathet Lao from getting control of the rest of Laos. The important thing is to make this determination clear.

As we have stated here before, the prelude to a peaceful settlement through negotiation of the Communist aggression in southeast Asia may have to be a temporary increase instead of diminution of American military participation. The ultimate goal must be to get our troops out of the area; to achieve conditions that will make this possible, it may be necessary first to put more in.

#### EXHIBIT 3

[From the Washington (D.C.) Post, May 28, 1964]

#### OUR COMMITMENT IN VIETNAM

(By Walter Lippmann)

It is fair enough to say, as Senator DIRKSEN did this week, that our policy in southeast Asia has been indecisive. Indeed it has been. The reason for this indecision, which has existed under three Presidents, Eisenhower, Kennedy, and Johnson, is not that all three Presidents have been weak and wavering men. It is that since we allowed ourselves to become entangled in southeast Asia, there has been no good solution available which any of the three Presidents felt he could be decisive about.

After the French were defeated in 1954, our cardinal mistake in southeast Asia was the decision of Secretary Dulles to treat South Vietnam, which is an artificial creation and not really a national state at all, as an American protectorate and as an outpost of the West. The Eisenhower administration, directed in this matter by Secretary Dulles, did not oppose, but it refused to support, the settlement of Vietnam which was worked out at the first Geneva Conference in 1954. The U.S. Government helped to pick Diem as chief of South Vietnam and, until the coup of last autumn, Diem and his family were supported by us as the rulers of South Vietnam and they became the clients of the United States.

This put us in an inherently untenable position. It committed the United States to a struggle on the land and in the jungles of the largest nation in

Asia. In spite of the endless official assurances of how the struggle was being won, there has never been a time when a military victory, or anything like a military victory, has been possible. Even if one of the Presidents had been willing to intervene with an American army on the scale of Korea, even if he had unleashed the Air Force, no acceptable or tolerable outcome was visible. For, once the American troops were engaged, there would be no way of withdrawing. The territory they had occupied would be re-occupied by the Asian multitude who would be more fiercely determined than ever to do away with the presence of the Western white man.

There has never been any other way out of the dead-end street in southeast Asia except to make a political agreement to construct international machinery, and to exert what influence we can by underwriting them. President Kennedy made a fragmentary attempt to do this. He tried it in Laos, but he allowed himself to remain entangled in South Vietnam, and he was drawn into an ever enlarging, continually unsuccessful, military struggle which has no visible end.

To those who think, as I do, that the military commitment in southeast Asia has been a mistake, the question now is how to discharge the commitment honorably and to disengage safely. The basic principle is, I think, quite clear. We must look for a solution, not by expanding the war but, by taking it to the conference table, whether to a reconvened Geneva conference or to the United Nations or both. The proposal to expand the war by bombing North Vietnam and China requires, if we stop pretending that the South Vietnamese pilots are capable of carrying out such an attack, a declaration of war against North Vietnam and China by the Congress of the United States. We cannot make war on North Vietnam by Executive order.

No man living can possibly know what such a war would precipitate, or what the Soviet Union would do since it is still the ally of China. But what we can be sure of is that to go to war with China about South Vietnam would be so reckless an act as to damage deeply our influence throughout the world. It would be no less unpopular in the United States.

It is not easy for any country to repair its mistakes, especially those in which it has invested lives, money, and moral judgments. But the original mistake in southeast Asia has to be repaired. The way to do this is to go to a conference. The chances of its being successful are not brilliant. But at least we shall not be alone and, even if the prospects of a conference are not brilliant, the military outlook in South Vietnam is dismal beyond words.

I have been asked whether a negotiated settlement for southeast Asia means that as soon as our troops are withdrawn from Saigon, the North Vietnamese and the Chinese will move in. The honest answer to this question is, I believe, that if this can be prevented for a few years, then there will be a chance that it will not happen at all.

Although I realize that in the long run southeast Asia is bound to lie within the Chinese sphere of influence—as Chiang Kai-shek has always insisted—I think it may be possible to prevent any sudden and overt occupation of southeast Asia. It may be feasible to make it too dangerous, and not worthwhile in comparison with the prospects of access to the economic resources of southeast Asia and beyond.

I think, moreover, that if an international structure can be created, one which is guaranteed by the Soviet Union, the United States, France, Great Britain, and China, that North Vietnam will tend to go Titoist; that is to say, to remain Communist but not Chinese. What real interests in southeast Asia is not to

bomb Hanoi but to create a visible guarantee which makes it safe for Hanoi not to be, as it has always striven not to be, a Chinese satellite.

#### EXHIBIT 4

##### A FEW OF THE LETTERS RECEIVED BY SENATOR GRUENING ON HIS STAND ON VIETNAM

From Dr. Carmine Chamberlin, M.D., in Gresham, Oreg.: "I greatly appreciate and agree with your policy that our troops should be withdrawn from Vietnam. As with individuals it is a great nation that will admit a mistake, which this cruel and long war in this tiny nation certainly is."

From Mr. Bob Factor, of Madison, Wis.: "The admission of Alaska as a sister State into the Union will prove beneficial if only for the infusion of courage and clear-sightedness that has been added, in the person of yourself, to our Senate. Your position on the war in Vietnam has turned a dull and dreary monolog—on how many of our citizens are to be casualties and how many of our dollars are to be wasted—into a genuine dialog on the issue of U.S. participation at any level, economic or military, in a war that appears to be an effort on the part of the Vietnamese people to rid themselves of oppression. Whether that oppression be in the person of French generals, a tyrannical family, or native generals let us hope that it will never be in the person of Americans."

From Mr. Stanley E. Weisberger, of Oneonta, N.Y.:

"I salute you on your statement concerning our policy in South Vietnam. Quite apart from any consideration as to the potential benefit to U.S. short- or long-run interests that might result from a withdrawal of our military support and direction of General Khanh's war against the Vietcong, is the categorical imperative of insisting on morality and reason in Government conduct. Of course, the greater the immorality and unreason, the more urgent the imperative."

"To put it another way, Senator, I believe our country is characterized by two attitudes: One is a callous unconcern for virtually anything that doesn't touch immediate interests; the other is a 'we're doing God's work here' kind of sanctimonious arrogance. One runs up against both in trying to appeal, as you have, to the very opposite of these postures. So it's hardly surprising when your remarks and those of Senator Moors, on a subject of the first importance, get the silent treatment from most of the news media."

"All the same, there seems to be a growing uneasiness over the running of foreign policy. It may just be (one may as well be optimistic) that we're on the edge of an awakening. However, it is, you spoke well and courageously, Mr. Gruening, I fully share your view that we should never have intervened as we did in South Vietnam, and we should pull out forthwith. There can be no 'strategic' justification for using napalm bombs on Vietnamese villages and propping up 'governments' that practice murder and torture as a matter of course. 'It's a grand feeling to be proud of one's country and one's government. I'm proud that voices counseling decency are still heard in the Senate, even if by only a few. Please persist in this worthwhile cause, Senator. There is no alternative.'"

From Mr. and Mrs. Joseph N. Kahklen, of Tonalca, Ariz.:

"We wholeheartedly support you and we know many of our fellow Americans share your convictions, that the fight in South Vietnam can be won only by Vietnamese themselves. They need to make greater sacrifices and assume broader responsibility in a struggle that is legitimately theirs. We further agree that this is a fight that is not our fight and we need to get our young men out of there. American lives are lost."

"We do hope that President Johnson will give the crucial situation in South Vietnam his immediate attention. Many parents are looking to him to take the necessary action that will bring our boys back to this country."

"We share with other parents much anxiety and concern over the safety of their sons who are assigned to military duty in South Vietnam. Our youngest son Archie is serving in a helicopter unit. He was hit by a shrapnel in the face last December and, thank God, it was not too serious. He did not want us to know that he came close to getting killed; we learned about it from a letter he wrote recently to his brother. We worry about him constantly."

From Mrs. Eleanor Belser, of Los Angeles, Calif.: "Although I do not reside in your State, I would like to express my support for your position on South Vietnam. It is essential that we stop this shameful, wasteful war and negotiate for peace there."

From Mr. Homer D. Smith, of Homer, Alaska:

"In your newsletter (1964 No. 10) I read Mr. Sundborg's report of your and Senator Moors's remarks on our fiasco in South Vietnam. That takes moral courage—in the face of certain castigation by the radicals—but I, and most of the people I know, are with you; although without your leadership our timidity thus far has restrained us from saying so."

"The treasure we are pouring into South Vietnam could be used for the development of our last frontier—our State of Alaska—and to wage the war on poverty. Nothing is so hard for those who abound in wealth as to conceive how others can be in want. There can be no democratic rationalization of the conditions that produce a family income in one State equal to three times that of another. Poverty is not so much the lack of ability as it is the bounty of opportunity, e.g., when one happens to live in an area favored by a disproportional share of defense spending; or to be a member of a restrictive union which is several rungs higher on an inflation ladder than other workers."

"When I contemplate our people in Alaskan agriculture, many waging an unequal battle, lacking in research, devoid of rural access roads, competing for survival with wasteful and prodigal public spending, it seems to me that it is no wonder that only the most dedicated continue the effort."

"And last but not least, I want to assure you that most of us support the administration's moves to halt this disgraceful inflation—which if not brought under control will lead to ultimate disaster."

From Miss Virginia Colter, of Dunbarton, N.H.:

"I have just now learned of your magnificent speech of March 10 on the Vietnamese situation and I agree with you heartily. I have been writing and discussing this issue for over a year and it's tough to fight ignorance. I just wrote a scorching letter to the State Department suggesting they ought to consult with you and inform themselves and the President better. I had received some material from them that I considered completely inane."

"We need men of courage and decent conviction if we are ever to get out of our present mess. I am convinced the people will follow decent leadership, but the news must reach them."

From Mr. George Pappas, of Sea Cliff, N.Y.:

"Your efforts on behalf of a sane foreign policy in southeast Asia are greatly appreciated. What a great misfortune would befall the American people in the event of an escalation of the war in Vietnam. We do not realize the risks involved in our policies. Do we really have the support of the South Vietnamese people?"

From Mr. George Pappas, of Sea Cliff, N.Y.:

"I have taken the liberty



of bringing to the personal attention of Homer A. Jack, executive director, National Committee for a Sane Nuclear Policy, the urgency of giving the widest distribution to your excellent speech of March 10. I have read the text in full, and congratulate you anew upon your forthrightness, courage, and high statesmanship. I feel especially encouraged by your expression of determination "to keep up the fight to get us out of this untenable position." Your stand should be known to all Americans; it will put heart in them. I have communicated the same strong recommendation to officials of the Women's League for Peace, whom I know personally.

From a private, first class, in the Army: "I am glad to see that at least one Senator is aware of the wasteful situation in South Vietnam. I hope that you and your colleagues will also take note of other areas in the world that are in the very same situation.

"You have pointed out the case in South Vietnam and Cambodia, among other Asiatic countries; now what is to be done about it? Will it take many more wasteful years before our aid is reduced or better administered? How long does it take these obvious facts to sink into the heads of our leaders? We seem to be afraid of what these tiny countries will think or say about us, not the immediate damage being done, such as the 100 plus dead American men in South Vietnam.

Prompt and firm action is needed. Please do your best."

From Mr. and Mrs. Victor Povirk, of Mattapan, Mass.:

"We are taking this occasion to congratulate you for the valiant fight you are waging to have our troops withdrawn from South Vietnam.

"The millions of dollars foolishly wasted in bolstering a decadent ruling class in that bleeding country could be put to much better use in rebuilding your own State.

"The disturbing thing of our continued involvement in South Vietnam is the danger of extending the conflict to the north and eventually China.

"Our Armed Forces must be withdrawn to insure peace. We have also written our Senators about our attitude. We support you and Senator Morse for your fight in the U.S. Senate on this issue."

From Mr. F. W. Stover, president and editor, U.S. Farm News, of Des Moines, Iowa:

"It is most heartening to find a U.S. Senator, from a State supported by many war contracts, putting up your kind of battle for getting out of Vietnam.

"This is most assuredly the time in history, when, if the majority do not have the will to avert war then the intelligent minority must take the 'bull by the horns.' It has now reached a point in the U.S.A. where the people cannot get the war they want, if indeed the popularity hounds are willing to settle for such an expediency.

"The sheer madness of men in high places must try the courage of men like yourself. But your cause is so righteous and so important that somehow I think you will get through to the people of the United States. Surely the people do not want their children's lives given up on the ruins of an atomic war. The flirtation with nuclear war by adventurous millionaires such as McNamara must be stopped. More than another Korea is at stake."

From Mrs. Magdalena E. Gale, legislative chairman of the Women's International League for Peace and Freedom in West Palm Beach, Fla.: "I am writing to commend you on your stand in favor of negotiation and reevaluation of U.S. policy in Vietnam. I am thoroughly of the opinion we should never have sent our troops there and now should withdraw them as soon as possible

as it would seem impossible for us to win such a war. Every thinking person should realize it is a civil war and none of our business."

From Mrs. Mildred Miller, of the Bronx, N.Y.:

"At this time, when the war in South Vietnam is being escalated by U.S. military and financial aid, your stand favoring withdrawal of troops and military advisers, reevaluation of Asian policy and informing the public on policy, clarifies the situation and points up what needs to be done.

"Our continued participation, which has never been admitted as actual military aid, is making us accessory to unspeakable brutality toward the civilian population. It cannot make friends for us in southeast Asia, and can only result in dragging us into further military adventures. The French had to inflict and suffer catastrophic losses before they pulled out, and we should learn from their experience."

From Mrs. Ida G. Klingsberg, of Philadelphia, Pa.:

"Following is a copy of a letter sent to President Johnson:

"There have been reports recently in the news of plans to carry the war into North Vietnam. These reports are most disturbing to people who are seriously concerned for the survival of our civilization, and possibly of our entire planet.

"At best such a move can result only in a war of attrition like the one experienced by France at an immeasurable cost in lives and money. At worst it can escalate into a full-scale nuclear conflagration—and the end of everything.

"I urge upon you, Mr. President, to take the necessary steps leading to international agreement on the neutralization of southeast Asia."

#### THE ACTION PROPOSED AND NEEDED FOR ALASKA'S EARTHQUAKE VICTIMS

Mr. GRUENING. Mr. President, Alaska's able attorney general, Mr. George Hayes, appeared before the Senate Interior and Insular Affairs Committee this morning to present testimony on S. 2381 which amends the Alaska Omnibus Act to provide assistance to help the State recover from the effects of the March 27 earthquake and subsequent seismic waves.

Attorney General Hayes appeared on behalf of Gov. William A. Egan and the Alaska congressional delegation to comment on the 1964 amendments to the Alaska Omnibus Act. He correctly called the bill a "good bill" and he correctly pointed out ways in which it could be made better.

The attorney general called to the committee's attention the important fact that "due to sound financial management, we—Alaska—have always ended each fiscal year with a surplus." Alaska has done this and has provided the essential services needed to sustain a population of 250,000 people spread over a land area one-fifth the size of the contiguous 48 States. As George Hayes said:

"We proved we could afford statehood—but we cannot afford an earthquake of the magnitude of the one that occurred on March 27, 1964.

The amendments proposed by the attorney general are simple and sound.

The first amendment would permit the Housing and Home Finance Administration to contribute to the State

for disaster-connected urban renewal projects where necessary. This authority would substantially implement the State's recovery program where as the attorney general pointed out "State and local contributive funds simply cannot be raised on a 75-25 basis."

The second amendment would reduce the rate of interest on any loans made by the U.S. Government to Alaska to a rate lower than 3½ percent. This amendment would enable Alaska to meet and best a decline in gross tax collections caused by the earthquake damage. As Attorney General Hayes illustrated, differences in interest rates mean millions of dollars.

Alaska, for example, if charged 3.625 per annum for \$25 million for 40 years to meet disaster losses only would pay \$18,578,095 plus principal. An interest rate of 2 percent on the same amount under the same terms with no deferment of principal payment would cost the State \$10,250,000 plus principal. The difference, better than \$8 million, is considerable.

A rate such as the United States gave Chile after its earthquake would be even better and wholly logical. In that case, after a grant of \$20 million, the United States made a loan of \$100 million with merely a service charge of three-fourths of 1 percent and deferment of payment of the principal for 10 years. Why not provide the same treatment for our fellow citizens?

Attorney General Hayes has provided the committee with tables illustrating the startling differences in costs on loans where interest rates differ.

The amendments proposed by the attorney general are constructive. They will strengthen the bill as will others which will be offered in committee.

Because his statement is important as the Senate and the other body consider legislation to enable Alaska to rebuild and because such rebuilding is, we believe, "a wise and prudent investment on the part of the United States," I ask unanimous consent that the full text of the attorney general's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GEORGE N. HAYES, ATTORNEY GENERAL OF ALASKA, BEFORE THE SENATE INTERIOR AND INSULAR AFFAIRS COMMITTEE

My name is George Hayes. I am attorney general for the State of Alaska. I am appearing here in behalf of Gov. William A. Egan, of Alaska, and also in behalf of Senator GRUENING, Senator BARTLETT, and Representative RIVERS of Alaska.

Mr. Chairman, Governor Egan desires that I present to you his gratitude and appreciation for the efforts of the Congress and the President in behalf of the State of Alaska and its citizens. The financial, physical, and moral assistance already given our State is considerable. The assistance that is being proposed in this bill you are considering will enable us to recover from the effects of the earthquake sooner than most of us believed possible just 2 months ago.

This omnibus bill represents only a part of the time-consuming and productive efforts of Senator ANDERSON and the Federal Commission for the Reconstruction and Development of Alaska. For this the State and our congress-

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sional delegation are grateful. We are grateful, too, for the immediate attention given to our problems by the President of the United States. We also recognize and are indebted to the array of capable talent in the person of Mr. Dwight Ink, Executive Director of the Commission, and his fine staff. I've personally observed their hard work, their extra long hours and their devotion to the task assigned to them by Senator Anderson. The cooperation extended to us by all of the Federal departments and agencies could not have been better.

If the aid already given together with that proposed here were to be the sum total, we could have no complaint.

The omnibus bill as drafted and presented is a good bill. It goes a long way.

The fact that we have suggestions to offer by way of amendments does not alter our respect for the great measure of aid incorporated in the present form of the bill. We all hope that the two changes I am suggesting to you will not be mistaken by you as a sign of insufficient recognition of the good already accomplished.

We would not make these requests of you if we did not firmly believe them to be essential to the rate of our recovery. If the Congress were to agree with us in these two areas, it would cost the Federal Government somewhat more than would be the case if the bill passes in its present form. While the State of Alaska is participating in the cost of reconstruction, the unhappy fact is that the State government and its citizens are not presently in a position financially to assist in our own recovery to the extent we would like. If we were in a better position, we would not make this request.

Prior to outlining our suggestions may I give you a brief history of the State's financial position?

When we became a State in 1959 our State enjoyed a gross State product in the neighborhood of some \$600 million a year. Our first State appropriation bill, excluding Federal matching funds for items such as Federal aid to highways, was in the amount of approximately \$41,600,000. In 1960 the legislature appropriated approximately \$47,200,000. In 1961, \$60,300,000. In 1962, \$67,600,000. In 1963, \$85,300,000. In 1964, \$81,200,000.

Due to sound financial management, we have always ended each fiscal year with a surplus. The State of Alaska has, in its brief history, operated in the black. In addition to these expenditures, our State legislature and our citizens have authorized a capital improvement program costing \$50,825,000—all in general obligation bonds. We've already issued \$39,201,000 of these bonds for schools, roads, ferry system, University of Alaska, and airfields. We must yet issue \$11,624,000 to complete these programs.

Mr. Chairman, members of the committee, while we take great pride in these services, these programs have never been luxury items. They provide bare essential services needed to sustain a population of 250,000 people spread over an area of nearly 600,000 square miles. We have drawn upon and continue to draw upon the resources of approximately 50,000 State taxpayers. We proved we could afford statehood—but we cannot afford an earthquake of the magnitude of the one that occurred on March 27, 1964.

We have no alternative but to commit our financial resources to the continuation of these minimum services if we are to maintain our population—let alone grow. It is for this reason alone that I ask you to consider amendments to two areas of this bill.

Section 53 of S. 2881 authorizes the HHFA Administrator to enter into contracts with our political subdivisions and the Alaska State Housing Authority for urban renewal projects. The U.S. share of the net costs of such projects, under present law, is 75 percent of such costs.

namely contribute the other 25 percent. Some weeks ago it had been proposed to the Commission by HHFA that the ratio for disaster connected urban renewal projects be changed to 90/10 percent. The various members of the Commission recognized that the cost of the urban renewal projects was an entirely new expenditure thrust upon our taxpayers as a result of the earthquake. They recognized, also, that we could not afford such a program if the cost to us amounted to 25 percent of the net costs. The present form of the bill reduces the total amount of moneys authorized for the URA programs over what had been originally proposed. Moreover, it does not authorize a 90/10 percent contributive ratio as had been proposed earlier. It is estimated by the Alaska State Housing Authority that disaster-connected URA programs could have a net project cost of approximately \$40 million. If the present 75-25 ratio is not changed, the State of Alaska and its cities would have to contribute \$10 million of that cost. The U.S. portion would be \$30 million. At a 90-10 ratio, our cost would be \$4 million and the Federal cost would be \$36 million. The present form of the omnibus bill authorizes a Federal contributive share not to exceed 25 million. Under this limitation, of course, the actual dollar cost to both the United States and the State and local governments is less. We believe, as does the Commission, that URA projects are an important part of our recovery. We earnestly request that for disaster-connected Urban Renewal Administration projects the Federal administrator be permitted to contribute up to 90 percent of the net project costs, if, in his discretion, such a share is necessary to carry out a particular program at all. We don't request that a 90-10 ratio be made mandatory, but permissive only so as to enable the urban renewal authority to implement the recovery program where State and local contributive funds simply cannot be raised on a 75-25 basis.

Under present urban renewal authority, payment for property taken for urban renewal projects is made on the basis of the value at the time of the taking. In many cases a disaster-connected urban renewal project will be based upon greatly depressed prices due to subsidence of the land taken for the project, or the ruination of the home on the land, or both. We would like to point out to the committee that if the URA administrator had the legal authority to pay prices for land condemned or purchased at a price related to the value prior to the disaster, such a measure would assist considerably in the restoration work envisioned in the urban renewal projects.

The other request we would urge the committee to consider is an amendment to section 56 of the proposed omnibus bill. According to this section, as presently written, the State of Alaska may borrow from the U.S. Government an amount not to exceed \$25 million at a present rate of interest of 3% percent. Our legislature has recently authorized issuance of bonds or borrowing authority in the amount of \$12,300,000 to be used for disaster recovery purposes. This authorization by the legislature consists of three separate programs. One is to provide the State's share of matching funds for the reconstruction of our highways. A second is to provide for a State's share not to exceed 10 percent of the net project costs of disaster-connected urban renewal projects in the State. The third authorizes the expenditure of up to \$2 million for rebuilding of public buildings that OEP and other funds may not be available to us for one reason or another.

Our State commissioner of revenue has compiled a table showing the amount of interest the State would be required to pay over 40 years at a rate of 3% percent on a loan of \$25 million. The commis-

sioner has also compiled a table assuming a loan at 3% percent of only \$12,300,000. The table shows a total amount of interest Alaska would have to pay over 40 years on a \$25 million loan.

That amount is over \$18½ million. On a \$12,300,000 loan from the Federal Government the amount of interest over 40 years is over \$9,140,000. The Commissioner of Revenue has also compiled tables showing what our interest rates would be at 3% percent (which is the rate which will be in force on July 1 according to our understanding). For the purposes of comparison, he has drafted tables of the total cost in dollars to the State if the State were to borrow moneys from the United States in the amount of \$25 million at 3 percent and 2 percent. He has also drafted similar tables for a loan of \$12,300,000. Although the total price in dollars over 40 years would not be high to a State more fully developed financially than we, it is high to us. We have obligated ourselves already as a State for more than \$39 million in general obligation bonds. We shall soon be paying an average of \$2½ million a year principal and interest on these general obligation bonds. We do not know to what extent our growth rate has been slowed by the earthquake. We do know, for instance, that our gross tax collections for the month of May were \$1,344,000 less than May of 1963. We ordinarily would have expected an increase of gross tax collections over May of 1963 of some \$350,000. This would have been our normal growth rate. Thus, when the gross tax collection shortfall is coupled with the gross tax collection we did not get due to our failure to grow it amounts to \$1,694,244. This does not include State tax refunds which will be made due to losses caused by the earthquake. Thus our ability to pay for our own recovery is not as strong as we wish it were. We would urge the committee to amend the omnibus bill and reduce the rate of interest on any loans made by the U.S. Government to Alaska to a rate lower than 3% percent. As can be seen from the tables compiled by our Commissioner of Revenue, a difference of 1 percent over 40 years on a loan of \$12,300,000 amounts to \$2½ million. This is a considerable amount of money.

As to our regular general obligation bonds, our financial advisers tell us that we can expect to pay a high interest rate on the open market. Their view is that we may have to pay as high as 4% or 4½ percent.

Members of the U.S. Treasury agree that our current credit standing has been impaired and that a sale of the remainder of our general obligation bonds now or in the near future would require us to pay an abnormally high interest rate. Our present program calls for a sale of general obligation bonds in the amount of \$7,200,000 during the next fiscal year, probably next spring. We are hoping that our credit position will improve considerably by next spring. We believe it will. Federal aid surely will not be lost on bond buyers. Your assistance already provided and to be provided will probably bring the interest rate, we will be required to pay, down to levels we can live with. But no one can be sure. In order to make certain we can carry out our necessary, normal capital improvement program, we would like to have the assistance applied to our regular bond issue that is being presently proposed in this omnibus bill for disaster loans. This assistance may not be necessary. Hopefully we can obtain a favorable rate of interest by next spring. But, if we cannot—and if the Federal Government will submit a bid for our bonds at a rate of interest of 3% or 3½ percent, or whatever rate money costs the United States—we can be assured that our regular capital improvement program will continue. Such assistance should not cost the Federal Government any price or money to the United States. And,